

Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

### Adjournment

On motion of Senator Bullock, the Senate at 3:30 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

### FIFTY-FIRST DAY

(Tuesday, April 15, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York
Knight	

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Jones, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

### Senate Bill 391 on First Reading

Senator Taylor moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Brown	Crawford
Aikin	Hardeman
Bullock	Harris
Carney	Hazlewood
Chadick	Jones
Cousins	Kelley of Hidalgo

Kelly of Tarrant	Stanford
Knight	Strauss
Lane	Taylor
Moffett	Tynan
Morris	Vick
Phillips	Winfield
Proffer	York
Ramsey	

Absent

Parrish

Absent—Excused

Mauritz

Weinert

The following bill then was introduced, read first time and referred to the Committee on Finance.

S. B. No. 391, A bill to be entitled "An Act making appropriations for the support and maintenance of the executive and administrative departments and agencies of the State Government for the two-year period beginning September 1, 1947, and ending August 31, 1949, and for payment of other specified claims and items; providing for reports of absence from duty of employees; providing for the sale of printed matter; providing for installation of postage meter machines; regulating the use of photostat machines; providing the working hours and vacation allowance of employees; authorizing the receipt and use of Federal Aid; declaring it unlawful for persons employed in the several departments to engage in political campaigns relating to election or re-election of certain candidates, and prescribing procedure for removal of such employees and penalties, and making it unlawful to use the state-owned automobiles and equipment in connection with political campaigns; prescribing regulations and restrictions on traveling expense and expense accounts of state officials and employees; prescribing the method and means for auditing State Departments; allowing free medical attention and hospitalization of prison employees; providing for a budget for the next succeeding biennium; prescribing restrictions on employment of husband and wife in State Departments; limiting the use or occupancy of state-owned buildings; restricting publicity of Departments and individuals; providing for reimbursement of the General Revenue Fund from certain Special Funds; providing for the Board of Control to negotiate purchase of Federal commodities; providing for audit of State

Parks Funds; requiring the Federal Withholding Tax; recommending that returning members from the armed services be given their former positions; providing that the Board of Control may be authorized to lease and operate any army camp or fort from the Federal Government; and providing specific limitations and regulations with reference to the expenditure of the appropriations made herein; and declaring an emergency."

#### Senate Bill 392 on First Reading

Senator Harris moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York
Knight	

#### Absent

Parrish

#### Absent—Excused

Mauritz

Weinert

The following bill then was introduced, read first time and referred to the Committee on Commerce and Manufacturing.

S. B. No. 392, A bill to be entitled "An Act amending Article 719, Rule 5 of the Penal Code of 1925; fixing the standard of weight for bread to be sold by the loaf made by bakers engaged in the business of wholesaling and retailing bread, and providing the variations or tolerance allowed; and declaring an emergency."

#### Reports of Standing Committees

Senator Kelley of Hidalgo submitted the following reports:

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 13, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY of Hidalgo, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 10, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY of Hidalgo, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to whom was referred S. J. R. No. 13, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY of Hidalgo, Chairman.

Senator Morris submitted the following reports:

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred House Bill No. 298, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred House Bill No. 297, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Senator Carney submitted the following reports:

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir, We, your Committee on Game and Fish, to whom was referred H. B. No. 758 have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

CARNEY, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 772, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Senator Bullock submitted the following report:

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 388, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BULLOCK, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred Senate Bill No. 391, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

TAYLOR, Chairman.

#### Senate Concurrent Resolution 28

Senator Brown offered the following resolution:

S. C. R. No. 28, Authorizing G. W. Stewart to bring suit against the State.

Whereas, The State Highway Department of the State of Texas is now constructing and improving and reconstructing State Highway Number One Hundred Eight (108), extending North of Stephenville, in Erath County, Texas; and

Whereas, Said Highway crosses the lands belonging to one G. W. Stewart, and divides his land into two tracts, one on either side of said Highway; and

Whereas, Prior to the re-construction of said Highway, the said G. W. Stewart had a good and substantial underpass or stock cap, which connected said tracts of land, sufficient in size to permit the free access of cattle to both tracts of land; and

Whereas, The original plans and specification for the reconstruction of said Highway, as submitted to the said G. W. Stewart by the Resident Engineers of the State Highway Department, provided for a similar underpass of the same size as said old underpass, and the said G. W. Stewart was led to believe, as part of the consideration for conveying his land to the State Highway Department, that an adequate underpass would be constructed, connecting his two tracts of land; and

Whereas, The said G. W. Stewart, after examining such plans, executed his deed to the State of Texas for right of way purposes, and subsequent thereto the plans and specifications for said highway were changed without the knowledge or consent of the said G. W. Stewart, and which plans as changed made no provisions for such underpass; that by reason of the destruction of his said underpass he has been forced to erect two gates, one on either side of said Highway and will have to drive his stock back and forth across and over said Highway daily, thereby endangering his life as well as crossing a perpetual hazard to his live stock; that by reason of the re-construction aforesaid, the said G. W. Stewart has suffered great loss in the destruction of his property; and

Whereas, The said G. W. Stewart desires to bring suit against the State of Texas for damages sustained by reason of the reconstruction of said highway; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, that G. W. Stewart be and he is hereby granted permis-

sion to bring suit in any court of Erath County, Texas having jurisdiction of the amount in controversy, against the Highway Department of the State of Texas to determine whether the said G. W. Stewart has suffered damages by reason of the construction of said Highway, and the amount thereof; and be it further resolved, that the service of citation and all other processes may be had upon the Chairman of the State Highway Commission of Texas, and that said suit be tried under the same rules of law, liability, and evidence in like manner as similar suits instituted against private corporations are tried. No admission of liability of the State is made by this resolution and the facts as set out herein must be proved in court.

The resolution was read and referred to Committee on State Affairs.

#### Report of Standing Committee

By unanimous consent, the following report was submitted at this time:

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred Senate Bill No. 230, wish to report the bill back to the Senate with the recommendation that it do pass and be printed.

RAMSEY, Chairman.

#### House Concurrent Resolution 79

On motion of Senator Jones, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 79, Authorizing the Enrolling Clerk to make certain corrections in H. B. No. 513.

The resolution was read and was adopted.

#### Senate Bill 391 on Second Reading

Senator Taylor moved to suspend the constitutional rule requiring bills to be read on three several days, and that Senate Bill No. 391 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Knight
Brown	Lane
Bullock	Moffett
Carney	Morris
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York

#### Nays—1

Stanford

#### Absent

Parrish

#### Absent—Excused

Mauritz

Weinert

The President then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 391, A bill to be entitled "An Act making appropriation for the support and maintenance of the executive and administrative departments and agencies of the State Government for the two-year period beginning September 1, 1947, and ending August 31, 1949, and for payment of other specified claims and items; providing for reports of absence from duty of employees; providing for the sale of printed matter; providing for installation of postage meter machines; regulating the use of photostat machines; providing the working hours and vacation allowance of employees; authorizing the receipt and use of Federal Aid; declaring it unlawful for persons employed in the several departments to engage in political campaigns relating to election or re-election of certain candidates, and prescribing procedure for removal of such employees and penalties, and making it unlawful to use state-owned automobiles and equipment in connection with political campaigns; prescribing regulations and restrictions on traveling expense and expense accounts of state officials and employees; prescribing the method and means of auditing State Depart-

ments; allowing free medical attention and hospitalization of prison employees; providing for a budget for the next succeeding biennium; prescribing restrictions on employment of husband and wife in State Departments; limiting the use or occupancy of state-owned buildings; restricting publicity of Departments and individuals; providing for reimbursement of the General Revenue Fund from certain Special Funds; providing for the Board of Control to negotiate purchase of Federal commodities; providing for audit of State Parks Funds; requiring the Federal Withholding Tax; recommending that returning members from the armed services be given their former positions; providing that the Board of Control may be authorized to lease and operate any army camp or fort from the Federal Government; and providing specific limitations and regulations with reference to the expenditure of the appropriation made herein; and declaring an emergency."

The bill was read second time.

Senator Winfield offered the following amendment to the bill:

Amend S. B. 391 by adding after Item 24, page 131, Item 24-A which reads as follows:

For the purchase of land for National Park by the Texas State Parks Board in accordance with the provisions of Chapter 4, Acts of Regular Session of the 46th Legislature, Subdivision II under the title "State Parks" of the Compiled General Laws of said session page 520, in the acquisition of property within the area which was by that Act designated and established as the Big Bend National Park in Brewster County, Texas.

The following shall be a part of the contract in delivering any lands to the Federal Government: "In the event the Federal Government, after acquisition and creation of this Big Bend Park, shall ever abandon said park all of the lands conveyed to the Federal Government by the State of Texas shall revert to the State of Texas in fee." \$125,000.00.

On motion of Senator Taylor, the amendment was tabled.

Senator Winfield moved to reconsider the vote by which the amendment was tabled.

The motion to reconsider was lost by the following vote:

#### Yeas—9

Hardeman	Ramsey
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	

#### Nays—16

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Strauss
Knight	Taylor

Present—Not Voting  
Harris

#### Absent

Parrish                      York

#### Absent—Excused

Mauritz                      Weinert

Senator Bullock offered the following amendment to the bill:

Amend Departmental appropriation bill by changing the figure \$75,456.00 in columns one and two, item 74, page 57 to the figure \$37,728.00.

On motion of Senator Taylor the amendment was tabled.

The bill was passed to engrossment.

#### Senate Bill 391 on Third Reading

The President then laid Senate Bill No. 391 before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Vote

Senator Stanford asked to be recorded as voting "nay" on the passage of the bill.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House passed the following bills and resolutions:

H. C. R. No. 37, Granting S. J.

Weber permission to bring suit against the State of Texas and/or the Highway Department of Texas.

H. C. R. No. 52, Granting M. H. Newman permission to sue the State of Texas and/or State Highway Department of Texas.

H. C. R. No. 55, Authorizing Ed McDonald and wife to sue the State of Texas and the State Highway Department.

H. C. R. No. 72, Authorizing Mrs. John Bates to sue the State and the State Highway Department.

H. C. R. No. 40, Granting K. C. Jones, Sr., Lillie Jones and K. C. Jones, Jr., permission to sue the State.

H. C. R. No. 82, Memorializing the Congress of the United States to support the program of President Truman in rehabilitation of Greek economy.

H. C. R. No. 83, To create the Battleship Texas Commission; to provide a permanent berth for the Battleship "Texas"; to solicit and accept donations and subscriptions for such purpose; and prescribing other duties of said Commission.

H. C. R. No. 84, Providing for correction of House Bill No. 511.

H. B. No. 82, A bill to be entitled "An Act amending Section 2 of Article 2368a of Vernon's Annotated Civil Statutes of Texas, Acts 1931, Forty-second Legislature, page 269, Chapter 163, providing that no Commissioners Court and no city in this State shall make a contract calling for or requiring the expenditure or payment of Two Thousand Dollars (\$2,000) or more out of any fund or funds of any county or subdivision of any county or city, without first submitting such proposed contract to competitive bids; and declaring an emergency."

The House has adopted the Conference Committee report on Senate Bill No. 20 by a vote of 101 yeas, 12 nays.

H. B. No. 106, A bill to be entitled "An Act to further the general welfare and governmental economy and bring about increased efficiency in the service of all departments and agencies of the State Government by

establishing effective budget control and more effective long range budget planning to the end that the funds of the State shall not be expended except in strict compliance with law and as authorized by the Legislature; creating the office of State Director of the Budget, providing the manner of his appointment, fixing his term of office, fixing his compensation and prescribing his duties; strengthening the authority of the Comptroller of Public Accounts to require information needed in the preauditing of accounts; making it the responsibility of the Director of the Budget to furnish the Comptroller with necessary information; requiring the Director of the Budget to maintain such financial records as may be necessary to the orderly functioning of his office; transferring all duties which the law now requires the State Board of Control to perform in connection with the preparation and adoption of the State Budget to the Director of the Budget; providing penalties for the violation of this Act; providing that the provisions of this Act shall not apply to the Legislature except where expressly specified; providing that in all cases where there is a conflict between provisions of this Act and existing law that the provisions of this Act shall control; providing that if any part or section of this Act shall be declared invalid the remaining parts shall not be affected thereby; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

#### Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Commerce and Manufacturing, to whom was referred S. B. No. 392, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. C. R. No. 28, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 343, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PROFFER, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 181, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PROFFER, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred House Bill No. 166, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Institutions and Departments, to whom was referred H. B. No. 712, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

STANFORD, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 575, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. B. No. 734, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. B. No. 733, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 707, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 548, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

JONES, Chairman.

Austin, Texas,  
April 14, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 391, have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

JONES, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 419, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

JONES, Chairman.

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred H. B. No. 525, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PARRISH, Chairman.

#### Report of Conference Committee on Senate Bill 20

Senator Kelley of Hidalgo submitted the following report:

Austin, Texas,  
April 15, 1947.

Hon. Allan Shivers, President of the Senate.

Hon. W. O. Reed, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on Senate Bill No. 20, have had same under consideration and beg to report back with the recommendation that it do pass in the form hereto attached.

Respectfully submitted,  
KELLEY of Hidalgo  
WINFIELD  
CHADICK  
STANFORD  
LANE

On the part of the Senate.

BELL of De Witt  
ISAACKS  
McDANIEL  
OLTORF  
KAZEN

On the part of the House.

S. B. No. 20, A bill to be entitled "An Act amending House Bill No. 57, Chapter 442, page 1710, Acts of the 44th Legislature, Second Called Session, 1935, fixing the compensation of District Attorneys in all Judicial Districts in this state; providing such compensation shall include the Five Hundred (\$500.00) Dollars per year now allowed by the constitution; providing that District Attorneys shall not be deprived of their expense allowance; providing that in certain counties the District Attorney shall receive a salary of Six Thousand Five Hundred (\$6,500.00) Dollars per year which salary shall include the Five Hundred (\$500.00) Dollars per year provided by the constitution; providing for the disposition of fees, commissions and perquisites earned and collected by said District Attorneys; fixing the compensation of the State's Attorney before the Court of Criminal Appeals and providing the manner of payment; providing that nothing in this Act shall affect the law now in existence with reference to Assistant District Attorneys, investigators and stenographers; providing that nothing in this Act shall affect Criminal District Attorneys whose District is composed of only one (1) county; and declaring an emergency."

Be It Enacted by the Legislature of the State of Texas:

Section 1. That House Bill No. 57, Chapter 442, page 1710, Second Called Session, Acts of the 44th Legislature, Regular Session, 1935, be, and the same is hereby, amended so as to read as follows:

"Section 1. From and after the effective date of this Act, in all Judicial Districts of this State, the District Attorney in each such District shall receive from the state as pay for his services the sum of Five Thousand (\$5,000.00) Dollars per year, which said Five Thousand (\$5,000.00) Dollars shall include the Five Hundred (\$500.00) Dollars salary per year now allowed such District Attorneys by the Constitution of this State. Providing that in all Judicial Districts in this state composed of only one county, having a population of one



hundred thousand (100,000) or more inhabitants according to the last preceding Federal Census, the District Attorney of such District shall receive from the state as pay for his services the sum of Six Thousand Five Hundred (\$6,500.00) Dollars per year, which shall include the Five Hundred (\$500.00) Dollar salary per year now allowed such District Attorneys by the Constitution of this State; and providing further, that in all Judicial Districts in this state composed of two or more counties, in one of which counties there is a city containing a population of not less than ninety thousand (90,000) inhabitants according to the last preceding Federal Census, the District Attorney of such District shall receive from the state as pay for his services the sum of Sixty-five Hundred (\$6500.00) Dollars per year, which said Sixty-five Hundred (\$6500.00) Dollars shall include the Five Hundred (\$500.00) Dollar salary per year now allowed such District Attorneys by the Constitution of the state. Such salary shall be paid in twelve (12) equal monthly installments upon warrants drawn on the Comptroller of Public Accounts upon the State Treasury. Provided that nothing in this Act shall be construed so as to deprive District Attorneys of the expense allowance allowed or which may hereafter be allowed by law."

Sec. 1a. The State's Attorney assigned to and practicing before the Court of Criminal Appeals shall receive from the state as pay for his services the sum of Seventy-five Hundred (\$7500.00) Dollars per year, such salary to be paid in twelve (12) equal monthly installments upon warrants drawn on the State Comptroller of Public Accounts upon the State Treasury.

Sec. 2. All fees, commissions and perquisites which may be earned and collected by District Attorneys affected by this Act shall be paid to the County Treasurer of the counties in which such fees are earned for the account of the proper fund.

Sec. 3. Nothing in this Act shall be construed to repeal or in any manner affect any law now in existence with reference to Assistant District Attorneys, investigators or stenographers in Judicial Districts included in this Act.

Sec. 4. Nothing in this Act shall

affect Criminal District Attorneys whose District is composed of only one (1) county.

Sec. 5. The fact that the present conditions have so increased the cost of living and that District Attorneys have been so underpaid, and the further fact that the legislative calendar is crowded, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be, and the same is hereby, suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

#### Yeas—26

Aikin	Knight
Brown	Lane
Bullock	Moffett
Carney	Morris
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Stauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield

#### Absent

Parrish	York
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#### Absent—Excused

Mauritz	Weinert
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#### Conference Committee on House Bill 537

Senator Ramsey called for the consideration at this time the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 537 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Ramsey, Lane, Carney, Harris and Chadick.

#### Motion to Set Senate Bill 187 as Special Order

Senator Hazlewood moved that Senate Bill No. 187 be set as a special

order for Monday, April 21, 1947, immediately following the morning call.

The motion was lost by the following vote (not receiving an affirmative vote of two-thirds of the members present):

**Yeas—12**

Bullock	Knight
Crawford	Proffer
Hardeman	Strauss
Harris	Tynan
Hazlewood	Winfield
Jones	York

**Nays—13**

Aikin	Moffett
Brown	Morris
Carney	Phillips
Chadick	Ramsey
Kelley of Hidalgo	Stanford
Kelly of Tarrant	Vick
Lane	

**Absent**

Cousins	Taylor
Parrish	

**Absent—Excused**

Mauritz	Weinert
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**Senate Bill 282 on Passage to Engrossment**

The President laid before the Senate as unfinished business on its passage to engrossment:

S. B. No. 282, A bill to be entitled "An Act amending subsections 19, 21 and 23 of Section 1, subsections 3 and 5 of Sec. 3, subsections 1, 2(b), 2(d) and 4 of Section 5, subsection (c) of Section 6 and subsection (e) of Section 8 of Senate Bill No. 47, Acts of the Forty-fifth Legislature, Regular Session (carrying into effect Section 48a of Article III of the Constitution of the State of Texas, which established a Teacher Retirement System of Texas), as amended by House Bill No. 1016, Acts of the Forty-seventh Legislature, Regular Session (which House Bill No. 1016 amended Sections 1, 5, 6, 7, and 8 of said Senate Bill No. 47), as further amended by House Bill No. 602, Acts of the Forty-eighth Legislature, Regular Session (which House Bill No. 602 amended subsection (14) of Section 1, subsection (3) of Section 3, subsection 1 of Section 5, subsection (2) of Section 7, subsections 1, 5, 7 and 8 of Section 8, and Section 10 of said Senate Bill No. 47, Acts of

the Forty-fifth Legislature, Regular Session), by changing and adding provisions so as to provide new definitions of the terms 'Prior Service Annuity,' 'Disability Retirement Allowance' and 'Service Retirement'; adding a provision that a member of the Teacher Retirement System who has twenty-five (25) years of creditable service shall be eligible for retirement upon attaining the age of sixty (60) years if he does not withdraw his contributions although said member may have been, prior to attaining said age, absent from the service for more than five (5) years in any period of six (6), etc., and declaring an emergency."

The bill having been read second time on yesterday, with an amendment by Senator Kelly of Tarrant pending.

Question—Shall the amendment be adopted?

Senator Kelly of Tarrant withdrew the amendment.

Senate Bill No. 282 was passed to engrossment.

(Senator Aikin in the Chair.)

**Senate Bill 282 on Third Reading**

Senator Morris moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 282 be placed on its third reading and final passage.

**Yeas—27**

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York
Knight	

**Absent**

Parrish

**Absent—Excused**

Mauritz	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—25

Aikin	Knight
Brown	Lane
Bullock	Moffett
Carney	Morris
Chadick	Phillips
Cousins	Proffer
Crawford	Stanford
Hardeman	Taylor
Harris	Tynan
Hazlewood	Vick
Jones	Winfield
Kelley of Hidalgo	York
Kelly of Tarrant	

## Absent

Parrish	Strauss
Ramsey	

## Absent—Excused

Mauritz	Weinert
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## Senate Concurrent Resolution 26

The Presiding Officer laid before the Senate for consideration at this time:

S. C. R. No. 26, Authorizing J. Minor B. Hoxsey, Jr., and Mary Beverly Blair Hoxsey to sue the State.

The resolution was read and was adopted.

## Senate Bill 68 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 68, A bill to be entitled "An Act authorizing and empowering commissioners of drainage districts to make changes in, additions to, and improvements to the drainage systems in their respective districts and to pay for same out of maintenance taxes provided by law to be assessed and collected in such districts; providing that this Act shall be cumulative; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 68 on Third Reading

Senator Cousins moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 68 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—25

Aikin	Knight
Brown	Lane
Bullock	Moffett
Carney	Morris
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Taylor
Harris	Tynan
Hazlewood	Vick
Jones	Winfield
Kelley of Hidalgo	York
Kelly of Tarrant	

## Absent

Parrish	Strauss
Phillips	

## Absent—Excused

Mauritz	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Senate Bill 125 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 125, A bill to be entitled "An Act authorizing and empowering all incorporated cities and towns of Texas to grant the use of a portion of the streets and sidewalks of such cities and towns for private purposes, for such considerations and upon such terms as they may prescribe, provided such private use shall not substantially interfere with the public use of such streets and sidewalks, or create any hazard or dangerous condition thereon, and declaring an emergency."

The bill was read second time.

Senator Kelly of Tarrant offered the following amendment to the bill:

Amend S. B. 125 by striking out the word "substantially" in line 19 and amend caption to conform.

The amendment was adopted.

The bill was passed to engrossment.

## Senate Bill 125 on Third Reading

Senator Chadick moved that the

constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 125 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—24

Aikin	Moffett
Brown	Morris
Bullock	Phillips
Carney	Proffer
Chadick	Ramsey
Cousins	Stanford
Crawford	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	York
Knight	

## Nays—3

Hardeman	Lane
Harris	

## Absent

Parrish

## Absent—Excused

Mauritz	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Record of Votes

Senators Lane, Hardeman and Harris asked to be recorded as voting "nay" on the passage of the bill.

## Motion to Adjourn

Senator Lane moved that the Senate adjourn until 10:30 o'clock a. m., tomorrow.

Yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—9

Aikin	Lane
Carney	Moffett
Cousins	Ramsey
Hardeman	Winfield
Knight	

## Nays—17

Brown	Harris
Bullock	Hazlewood
Chadick	Jones
Crawford	Kelley of Hidalgo

Morris	Taylor
Phillips	Tynan
Proffer	Vick
Stanford	York
Strauss	

## Absent

Kelly of Tarrant Parrish

## Absent—Excused

Mauritz	Weinert
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## Senate bill 24 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 24, A bill to be entitled "An Act requiring mutual assessment life, health and accident insurance companies organized and operating under Chapter Six, Title 78, Revised Civil Statutes of Texas, and Section 18a of Senate Bill No. 37, Acts of the First Called Session of the Forty-first Legislature, to, within six months from the effective date of this act, effect a compliance with, conform to and be governed by the provisions of House Bill No. 303, Acts of the Forty-third Legislature as amended by Senate Bill No. 135, Acts of the Forty-sixth Legislature, in such manner and form as may be prescribed by the Life Insurance Department of Texas; providing that from and after their qualification, they may transact the business of life, health and accident insurance in accordance with their charters and said act; providing that said charters may be amended or extended by compliance with the same requirements provided in the general corporation laws of Texas, repealing Chapter 6, Title 78, Revised Civil Statutes of Texas, Section 18a of Senate Bill No. 37, Acts of the First Called Session of the Forty-first Legislature, and that portion of Section 18 of the same act as applies to these companies, and declaring an emergency."

The bill was read second time.

Senator Lane offered the following amendment to the bill:

Amend Senate Bill No. 24 by striking out the last sentence in Section 1 of said bill and inserting therein in lieu thereof the following:

"Provided further that any such company may write life insurance only up to the amount they are now authorized to write under Chapter 6,

Title 78, R. C. S., under which they are now operating, and that no such company which was not duly licensed by the Insurance Department at any time during the one-year period immediately preceding February 15, 1946, shall be eligible to qualify under this bill."

Senator Stanford moved to table the amendment.

Yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—20

Brown	Morris
Bullock	Phillips
Carney	Proffer
Chadick	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York

Nays—6

Aikin	Lane
Crawford	Moffett
Knight	Ramsey

Absent

Cousins	Parrish
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Absent—Excused

Mauritz	Weinert
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The bill was passed to engrossment.

Senate Bill 24 on Third Reading

Senator Stanford moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 24 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Brown	Moffett
Bullock	Morris
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	

Nays—3

Aikin	Lane
Knight	

Absent

Parrish	York
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Absent—Excused

Mauritz	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—19

Brown	Moffett
Bullock	Morris
Carney	Phillips
Crawford	Proffer
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	

Nays—7

Aikin	Lane
Chadick	Ramsey
Cousins	Winfield
Knight	

Absent

Parrish	York
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Absent—Excused

Mauritz	Weinert
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Senate Bill 47 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 47, A bill to be entitled "An Act amending Article 4725, Revised Civil Statutes of 1925, as amended by Acts of 1945, Forty-ninth Legislature, page 267, Chapter 196, by adding a new section thereto, to be denominated 4, authorizing certain life insurance companies to invest not to exceed 10% of the company's capital, surplus and contingency funds, in not more than 20% of the capital stock of any other insurance company, now or hereafter organized under the provisions of Chapter 3, Title 78 of the Revised Civil Statutes of 1925, as amended, whose principal business is the reinsurance, either partially or

wholly, of risks ceded to it by other life insurance companies; providing that such investments may be made by purchase of stock then issued and outstanding or by subscription to and payment for the increase in the capital stock of such reinsurance corporation; providing for a saving clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Record of Votes

Senators Lane and Knight asked to be recorded as voting "nay" on the engrossment of the bill.

#### Senate Bill 47 on Third Reading

Senator Stanford moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 47 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—23

Aikin	Kelly of Tarrant
Brown	Moffett
Bullock	Phillips
Carney	Proffer
Chadick	Stanford
Cousins	Strauss
Crawford	Taylor
Hardeman	Tynan
Harris	Vick
Hazlewood	Winfield
Jones	York
Kelley of Hidalgo	

#### Nays—3

Knight	Morris
Lane	

#### Absent

Parrish	Ramsey
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#### Absent—Excused

Mauritz	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—17

Brown	Crawford
Bullock	Harris

Hazlewood	Stanford
Jones	Strauss
Kelley of Hidalgo	Taylor
Kelly of Tarrant	Tynan
Morris	Vick
Phillips	York
Proffer	

#### Nays—10

Aikin	Knight
Carney	Lane
Chadick	Moffett
Cousins	Ramsey
Hardeman	Winfield

#### Absent

Parrish

#### Absent—Excused

Mauritz	Weinert
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#### Motion to Adjourn

Senator Moffett moved that the Senate adjourn until 10:30 o'clock a. m. tomorrow.

Yeas and nays were demanded.

The motion was lost by the following vote:

#### Yeas—12

Aikin	Knight
Chadick	Lane
Cousins	Moffett
Crawford	Proffer
Hardeman	Taylor
Kelly of Tarrant	York

#### Nays—15

Brown	Phillips
Bullock	Ramsey
Carney	Stanford
Harris	Strauss
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Morris	

#### Absent

Parrish

#### Absent—Excused

Mauritz	Weinert
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#### Senate Bill 46 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 46, A bill to be entitled "An Act amending Article 4752 of the Revised Statutes of Texas, as heretofore amended by Chapter 495, Section 1 of the Acts of the 47th Legislature, 1941, relating to limited capital stock insurance companies, so

as to eliminate the provision limiting such companies to the writing of insurance only on the weekly or monthly premiums plan; providing that such companies may issue policies up to \$5,000 to cover the event of death from natural causes and \$10,000 from accidental causes; requiring reinsurance on policies in excess of \$5,000; and declaring an emergency."

The bill was read second time.

Senator Stanford offered the following amendment to the bill:

Amend S. B. No. 46 by striking out of Section 1, under "Art. 4752," the words, "Such companies may not retain more than five thousand dollars liability on any one life, but shall reinsure in some company licensed in this state all liability on any one life between five thousand dollars and the maximum limit of ten thousand dollars," and in lieu thereof insert the following: "Provided, however, that when the net capital and surplus of any such company is not more than \$35,000.00, the excess over \$1,000.00 natural death benefit and \$2,000.00 accidental death benefit under any policy issued by it shall be reinsured in some legal reserve company licensed in Texas; that when the net capital and surplus is \$35,001.00 to \$50,000.00, the natural death benefit over \$2,000.00 and accidental death benefit over \$4,000.00 shall be so reinsured; that when the net capital and surplus is \$50,001.00 to \$75,000.00, the natural death benefit over \$3,000.00 and accidental death benefit over \$6,000.00 shall be so reinsured; and when the net capital and surplus is \$75,001.00 to less than \$100,000.00, the natural death benefit over \$4,000.00 and accidental death benefit over \$8,000.00 shall be so reinsured."

The amendment was adopted.

Senator Stanford offered the following amendment to the bill:

Amend the caption of S. B. 46 by striking therefrom the words "in excess of \$5,000.00" and inserting between the words "on" and "policies" the word "certain."

The amendment was adopted.

The bill was passed to engrossment.

#### Record of Votes

Senators Lane and Knight asked to be recorded as voting "nay" on the engrossment of the bill.

#### Senate Bill 46 on Third Reading

Senator Stanford moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 46 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—25

Brown	Moffett
Bullock	Morris
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York
Knight	

#### Nays—2

Aikin	Lane
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#### Absent

Parrish

#### Absent—Excused

Mauritz	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—19

Brown	Morris
Bullock	Phillips
Carney	Proffer
Crawford	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	York
Moffett	

#### Nays—8

Aikin	Knight
Chadick	Lane
Cousins	Ramsey
Hardeman	Winfield

#### Absent

Parrish

#### Absent—Excused

Mauritz	Weinert
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(President in the Chair.)

### Bills and Resolutions Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

S. C. R. No. 19, Granting Mrs. Jim Phelps and sons permission to sue the State of Texas.

S. B. No. 40, A bill to be entitled "An Act amending that part of Section 1 of Article 8309 of the Revised Civil Statutes of Texas, 1925, defining the term 'injury' or 'personal injury' so as to include occupational diseases; and declaring an emergency."

S. B. No. 20, A bill to be entitled "An Act amending House Bill No. 57, Chapter 442, Acts of the 44th Legislature, Second Called Session, 1935, fixing the compensation of District Attorneys in all Judicial Districts in this State; providing such compensation shall include the Five Hundred (\$500.00) Dollars per year now allowed by the Constitution; providing that District Attorneys shall not be deprived of their expense allowance; providing for the re-appropriation of all moneys heretofore appropriated to pay fees, salaries and per diem accounts of the officers named herein; providing for the disposition of fees, commissions and perquisites earned and collected by said District Attorneys; providing that nothing in this Act shall affect the law now in existence with reference to Assistant District Attorneys, Investigators and Stenographer; providing that nothing in this Act shall affect Criminal District Attorneys whose District is composed of only one (1) county, and declaring an emergency."

H. B. No. 513, A bill to be entitled "An Act creating the County Court at Law of Grayson County, Texas; defining the jurisdiction of said Court; providing for the enforcement of the jurisdiction of said Court and the issuance and service of process and writs therefrom; regulating practice therein; prescribing the terms of said Court; providing for Clerk and seal for said Court and prescribing the duties of the County Attorney in relation to said Court; limiting the jurisdiction of the County Court of Grayson County to the said Court

hereby created, and for appeals from inferior Courts to the Court hereby created, and for appeals from said Court; creating the office of Judge of the County Court in Law of Grayson County; providing for the appointment, election, removal and salary of the Judge of said Court and prescribing his qualifications; providing for a Special Judge; etc., and declaring an emergency."

H. C. R. No. 79, Authorizing the Enrolling Clerk to make certain corrections in H. B. 513.

(Senator Aikin in the Chair.)

### Senate Bill 393 on First Reading

Senator Taylor moved that the rule adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York
Knight	

Absent

Parrish

Absent—Excused

Mauritz

Weinert

The following bill then was introduced, read first time and referred to the Committee on Finance.

S. B. No. 393, A bill to be entitled "An Act amending Senate Bill No. 317, Chapter 378, Acts of the 49th Legislature, Regular Session, as amended by Senate Bills Nos. 2 and 9, of the 50th Legislature, 1947, making an additional appropriation to the Executive Department and the Secretary of State to meet the additional expenses of said departments during and for the period of the last five (5) months of the fiscal years ending



August 31, 1947; providing the purposes and amounts of said appropriations; making an appropriation to the Attorney General's Department for the last five (5) months of the fiscal year, ending August 31, 1947; and declaring an emergency."

#### Senate Bill 57 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 57, A bill to be entitled "An Act to amend Article 4730 of the Revised Civil Statutes of Texas, 1925, restricting the amount of annual salaries, compensation, or emolument which may be paid to officers, directors, or trustees of domestic life insurance companies without prior approval of the Board of Directors, excepting contracts with agents for renewal commissions and authorizing the payment of pensions, retirement or group insurance to officers and employees of any domestic life insurance company according to a plan which shall have first been submitted to and approved by the stockholders of the company, or in the case of a mutual company by the policyholders, at a regular annual meeting of such company, or at some special meeting called for that purpose, in which the plan shall be set forth in detail, and provided further that any amendment or modification of such plan originally adopted shall be similarly approved before it becomes effective; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Record of Vote

Senator Lane asked to be recorded as voting "nay" on the engrossment of the bill.

#### Senate Bill 57 on Third Reading

Senator Harris moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 57 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Bullock
Brown	Carney

Chadick	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelly of Tarrant	Vick
Knight	Winfield
Morris	York
Phillips	

Nays—2

Lane	Moffett
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Absent

Cousins	Parrish
Kelley of Hidalgo	

Absent—Excused

Mauritz	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 82 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 82, A bill to be entitled "An Act to amend the statutes of the State of Texas relating to the computation of the reserve on policies and contracts issued by life insurance companies organized under the laws of this State or authorized to transact business in this State by amending Articles 4688 and 4748 of the Revised Civil Statutes of Texas, 1925, and Section 5 of Chapter 101, page 172 of the Acts of the Forty-second Legislature (Article 4764a, Section 5, Vernon's Civil Statutes of Texas Annotated); and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Record of Vote

Senator Lane asked to be recorded as voting "nay" on the passage of the bill to engrossment.

#### Senate Bill 82 on Third Reading

Senator Harris moved that the constitutional rule requiring bills to be read on three several days be sus-

pending and that S. B. No. 82 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—23**

Aikin	Moffett
Brown	Morris
Bullock	Phillips
Carney	Proffer
Chadick	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelly of Tarrant	Winfield
Knight	

**Nays—1**

Lane

**Absent**

Cousins	Parrish
Kelley of Hidalgo	York

**Absent—Excused**

Mauritz	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—23**

Aikin	Moffett
Brown	Morris
Bullock	Phillips
Carney	Proffer
Chadick	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelly of Tarrant	Winfield
Knight	

**Nays—1**

Lane

**Absent**

Cousins	Parrish
Kelley of Hidalgo	York

**Absent—Excused**

Mauritz	Weinert
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**Senate Bill 83 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 83, A bill to be entitled "An Act to amend the statutes of the State of Texas relating to what a policy of life insurance shall contain by amending Sections 6, 7 and 8 of Article 4732 of the Revised Civil Statutes of Texas 1925, and Subsection e, Section 2, Chapter 89 of the Acts of the Forty-seventh Legislature, (Article 4764b, Section 2, e, Vernon's Civil Statutes of Texas Annotated); and providing that this Act shall take effect January 1, 1948; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Record of Vote**

Senator Lane asked to be recorded as voting "nay" on the passage of the bill to engrossment.

**Senate Bill 83 on Third Reading**

Senator Harris moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 83 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—25**

Brown	Moffett
Bullock	Morris
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York
Knight	

**Nays—2**

Aikin	Lane
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**Absent**

Parrish

**Absent—Excused**

Mauritz	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—22

Brown	Morris
Bullock	Phillips
Carney	Proffer
Chadick	Ramsey
Hardeman	Stanford
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelly of Tarrant	Vick
Knight	Winfield
Moffett	York

## Nays—2

Aikin	Lane
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## Absent

Cousins	Kelley of Hidalgo
Crawford	Parrish

## Absent—Excused

Mauritz	Weinert
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## House Bills and Resolutions on First Reading

The following House bills and resolutions received from the House were laid before the Senate, read first time, and referred to the committees indicated:

H. B. No. 251, to Committee on Highways and Motor Traffic.

H. B. No. 738, to Committee on Judiciary Districts.

H. B. No. 235, to Committee on Education.

H. B. No. 82, to Committee on State Affairs.

H. B. No. 106, to Committee on Finance.

H. C. R. No. 37, to Committee on State Affairs.

H. C. R. No. 52, to Committee on State Affairs.

H. C. R. No. 55, to Committee on State Affairs.

H. C. R. No. 72, to Committee on State Affairs.

H. C. R. No. 40, to Committee on State Affairs.

## Adjournment

On motion of Senator Taylor, the Senate, at 12:25 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

## FIFTY-SECOND DAY

(Wednesday, April 16, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was

called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	York
Lane	

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Lane, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

## Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
April 16, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

H. J. R. No. 30, Proposing an amendment to Article III of the Constitution of the State of Texas by adding thereto another Section to be designated as "Section 60" to authorize counties of this State to provide insurance for County employees; providing for the Governor's proclamation, and submission to the electorate.

H. B. No. 679, A bill to be entitled "An Act providing that certain cities which have annexed territory within water control and improvement districts or fresh water supply districts shall, under named circumstances, take over the assets and liabilities and perform the functions of such districts; authorizing contracts between such cities and such districts under certain prescribed circumstances and conditions; authorizing such cities to issue refunding bonds